

KEVIN V. RYAN, SBN 118321  
United States Attorney  
LUCILLE GONZALES MEIS  
Regional Chief Counsel, Region IX,  
Social Security Administration  
ELIZABETH FIRER  
Special Assistant United States Attorney

333 Market Street, Suite 1500  
San Francisco, California 94105  
Telephone: (415) 977-8943  
Facsimile: (415) 744-0134

Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UMOJA SELASSIE,

Plaintiff,

v.

LINDA S. McMAHON<sup>1</sup>,  
Acting Commissioner of  
Social Security,

Defendant.

CIVIL NO. C-03-5073-JSW

STIPULATION AND ORDER APPROVING  
SETTLEMENT OF ATTORNEY FEES  
PURSUANT TO THE EQUAL ACCESS TO  
JUSTICE ACT

IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel, subject to the Court's approval, that counsel for Plaintiff be awarded attorney fees under the Equal Access to Justice Act, (EAJA) in the amount of FOUR THOUSAND, EIGHT HUNDRED AND ONE DOLLARS (\$4,801.00), and ONE HUNDRED TWENTY-THREE DOLLARS (\$123.00) in costs. These amounts represents compensation for all legal services rendered on behalf of Plaintiff by the attorney in connection with this civil action in accordance with 28 U.S.C. § 2412(d), and all costs

<sup>1</sup> On January 20, 2007, Linda S. McMahon became the Acting Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Linda S. McMahon should therefore be substituted for Commissioner Jo Anne B. Barnhart as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

associated with the civil action, in accordance with 28 U.S.C. § 2414 and 31 U.S.C. § 1304.

This stipulation does not constitute an admission of liability on the part of Defendant under the EAJA. Payment of the agreed upon amounts shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to EAJA attorney fees and costs in connection with this action. This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney fees, under 42 U.S.C. § 406, subject to the offset provisions of the EAJA.

Dated: January 29, 2007      /s/ Tony Arjo  
(As authorized via telephone on January 29, 2007)  
TONY ARJO  
1440 Broadway, Suite 1019  
Oakland, CA 94612

Attorney for Plaintiff

KEVIN V. RYAN  
United States Attorney

Dated: January 29, 2007      By: /s/ Elizabeth Firer  
ELIZABETH FIRER  
Special Assistant United States Attorney

PURSUANT TO STIPULATION, IT IS SO ORDERED that counsel for Plaintiff shall be awarded attorney fees in the amount of FOUR THOUSAND, EIGHT HUNDRED AND ONE DOLLARS (\$4,801.00), as authorized by 28 U.S.C. § 2412(d), and ONE HUNDRED TWENTY-THREE DOLLARS (\$123.00) in costs, as authorized by 28 U.S.C. § 2414 and 31 U.S.C. § 1304 subject to the terms of the above-referenced Stipulation.

Dated: January 29, 2007

  
JEFFREY S. WHITE  
United States District Judge